



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,685	07/31/2003	Tidhar Ziv	11884/403401	7660

23838 7590 01/30/2006

KENYON & KENYON LLP
1500 K STREET N.W.
SUITE 700
WASHINGTON, DC 20005

EXAMINER

LE, MIRANDA

ART UNIT

PAPER NUMBER

2167

DATE MAILED: 01/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/630,685	Applicant(s) ZIV, TIDHAR	
	Examiner Miranda Le	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to Amendment , filed 12/29/2004.
2. Claims 1-60 are pending in this application. Claims 1, 11, 21, 28, 35, 42 are independent claims. In the Amendment, claims 46-60 have been added, and claims 1-4, 10-21, 25-26, 28, 35, 41-42 have been amended. This action is made Final.
3. The objection to the specification (drawings, claim objection) of the invention has been withdrawn in view of the amendment.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless:

(e) the invention was described in

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-9, 11-19, 21-40, 42-60 are rejected under 35 U.S.C. 102(e) as being anticipated by Davis et al. (US Patent No. 6,976,262).

Davis anticipated independent claims 1, 7, 8, 14, 15, 21, 22, 26, 29, 34-36 by the following:

As to claims 1, 11, 35, Davis teaches a method for accessing data in a server-based business database system using an external program on a client system, the method comprising:

instantiating a company object (i.e. set instance, col. 8, line 14) on the client system as an instance of a company class (i.e. factory class, abstract) conforming to a component object model standard (i.e. COM, col. 6, line 54) to access in the server-based business database system (col. 6, lines 48-60, col. 7, line 32 to col. 8, line 28);

setting a least one property of said company object (i.e. The method Set Instance invokes a repository to add or update the specified CIM instance to the specified namespace, col. 8, lines 14-16); and

invoking a connect method (i.e. a method is used for communication between a Common Information Model (CIM) object manager and a CIM repository. The method involves first creating a connection between the object manager the CIM repository, col. 2, lines 63-65) within said company object, said connect method opening a software connection to said business database (i.e. CIM repository stores classes, abstract), (col. 2, lines 56 to col. 3, line 21, col. 5, line 8 to col. 6, line 3, col. 7, line 32 to col. 8, line 28).

As to claims 21, 28, Davis teaches a software development kit for providing a data interface to access a business database on a server from a client system comprising:

an application programming interface (i.e. API in Fig. 2A) on the client system including a plurality of component object model and object methods (col. 5, line 53 to col. 6, line 20, col. 7, line 32 to col. 8, line 28); and

a company object for accessing said business database (i.e. CIM repository 130, Fig. 2A) on the server being one of said plurality of component object model objects, said company object being accessible by external development tools (i.e. CIM workshop 152, Fig. 2A) to access said plurality of component object model objects and methods (col. 5, line 53 to col. 6, line 20, col. 7, line 32 to col. 8, line 28, col. 9, lines 44-65, Figs. 2A, 2B).

As per claim 42, Davis teaches a computer system comprising:

a processing component (col. 3, line 53 to col. 4, line 34);

a communication component coupled to said processing component (col. 3, line 53 to col. 4, line 34);

a display component coupled to said processing component (col. 3, line 53 to col. 4, line 34); and

an input device couple to said processing component (col. 3, line 53 to col. 4, line 34);

said processing component including a machine-readable medium having stored thereon a plurality of executable instructions to perform a method including:

instantiating a company object (i.e. set instance, col. 8, line 14) on said computer system as an instance of a company class (i.e. factory class, abstract) conforming to a component object model standard (i.e. COM, col. 6, line 54) to access in the server-based business database (col. 6, lines 48-60, col. 7, line 32 to col. 8, line 28);

setting a least one property of said company object (i.e. The method Set Instance invokes a repository to add or update the specified CIM instance to the specified namespace, col. 8, lines 14-16); and

invoking a connect method (i.e. CIM repository 130 is a central storage area for CIM class and instance definitions that communicates with object manager 20 via connection 132. Connection 132 may be any suitable local connection within computer system 110) within said company object, said connect method opening a software connection via said business database (i.e. CIM repository stores classes, abstract), (col. 2, lines 56 to col. 3, line 21, col. 5, line 8 to col. 6, line 3, col. 7, line 32 to col. 8, line 28).

As to claims 2, 12, Davis teaches said setting a server property of said company object to a server name comprises setting said server property to an input server name (col. 5, lines 8-41, col. 7, lines 32-62, col. 9, lines 44-65).

As to claim 3, 13, Davis teaches said setting a server property of said company object to a server name comprises setting said server property to a default server name from the company object, if the server property is not set (col. 4, line 63 to col. 5, line 41, col. 7, lines 32-62, col. 9, lines 44-65).

As to claims 4, 14, Davis teaches said invoking a connect method within said company object, said connect method opening a software connection to said business database comprises connecting an external data warehouse management system to said business database (col. 5, line 53 to col. 6, line 20, col. 9, lines 44-65).

Art Unit: 2167

As to claims 5, 15, 36, Davis teaches accessing said business database using business objects from said company object (abstract, col. 2, line 56 to col. 3, line 21, col. 9, lines 21-65).

As to claims 6, 16, 37, Davis teaches said business objects expose a plurality of methods for accessing said business database (col. 7, line 32 to col. 8, line 28, col. 9, lines 44-65).

As to claims 7, 17, 38, Davis teaches said accessing said business database using said business objects comprises updating said business database (col. 7, line 32 to col. 8, line 58, col. 9, lines 21-65).

As to claims 8, 18, 39, Davis teaches said accessing said business database using said business objects comprises retrieving data from said business database (col. 7, line 32 to col. 8, line 58, col. 9, lines 21-65).

As to claims 9, 19, 40, Davis teaches said accessing said business database using said business objects comprises manipulating data from said business database (col. 7, line 32 to col. 8, line 58, col. 9, lines 21-65).

As to claims 22, 29, Davis teaches said company object comprises: a plurality of properties including:

a server property (col. 7, lines 32-46, col. 9, lines 44-65);

a username property (col. 7, lines 32-46, col. 9, lines 44-65);

Art Unit: 2167

a password property (col. 7, lines 32-46, col. 9, lines 44-65);

a language property (col. 2, lines 56 to col. 3, line 21);

a company database property (col. 7, lines 32-46, col. 9, lines 44-65);

As to claims 23, 30, Davis teaches a name of a database server (col. 7, lines 32-46, col. 9, lines 44-65).

As to claims 24, 31, Davis teaches a name of an authorized user (col. 7, lines 32-46, col. 9, lines 44-65).

As to claims 25, 32, Davis teaches a password for said authorized user (col. 7, lines 32-46, col. 9, lines 44-65).

As to claims 26, 33, Davis teaches a language to be used for said authorized user (col. 2, lines 56 to col. 3, line 21);

As to claims 27, 34, Davis teaches a name of a company having access to said business database (col. 7, lines 32-46, col. 9, lines 44-65).

As per claim 43, Davis teaches a processing unit (col. 3, line 53 to col. 4, line 34); and
a bus coupled to said processing unit, said communication component, said display component and said input device component (col. 3, line 53 to col. 4, line 34).

As per claim 44, Davis teaches a random access memory coupled to said processing unit via said bus (col. 3, line 53 to col. 4, line 34).

As per claim 45, Davis teaches a mass memory system coupled to said processing unit via bus (col. 3, line 53 to col. 4, line 34).

As to claims 46, 50, 56, 60, Davis teaches said setting at least one property of said company object includes:

setting a server property of said company object to a server name containing said business database (col. 7, lines 32-46, col. 9, lines 44-65);

setting a company name property of said company object to the name of said business database (col. 7, lines 32-46, col. 9, lines 44-65);

setting a user name property of said company object to the name of a user (col. 7, lines 32-46, col. 9, lines 44-65);

setting a password of said company object to a password of said user (col. 7, lines 32-46, col. 9, lines 44-65); and

setting a language property of said company object to a desired language of said user (col. 2, lines 56 to col. 3, line 21).

As to claims 47, 51, 57, Davis teaches accessing said business database using business objects from said company object, wherein said business objects expose a plurality of methods for accessing said business database (col. 7, line 32 to col. 8, line 58).

As to claims 48, 52, 58, Davis teaches said company object is instantiated in a data interface application programming interface implemented on the client system as a dynamic link library (col. 5, lines 8-52).

As to claims 49, 53, 59, Davis teaches accessing said business database using business objects from said company object, wherein said business objects expose a plurality of methods for accessing said business database (col. 7, line 32 to col. 8, line 58).

As to claims 54, 55, Davis teaches said programming interface is a dynamic link library on the client system (col. 5, lines 8-52).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Art Unit: 2167

7. Claims 10, 20, 41 rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. (US Patent No. 6,976,262), as applied to claims above, in view of Cirulli et al. (US Patent No. 6,947,063).

As to claim 10, 20, 41, Davis does not expressly teach invoking a disconnected method within said company object to close said software connection to said business database. Cirulli teaches this limitation (col. 12, lines 39-46).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references because Cirulli's teachings of invoking a disconnected method within said company object to close said software connection to said business database would have allowed Davis's users to disconnect a communication from the database.

Response to Arguments

Applicant's arguments regarding Stauber does not teach using a client-side COM object as a complete object interface with respect to claims 1-60 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

Art Unit: 2167

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (571) 272-4112. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

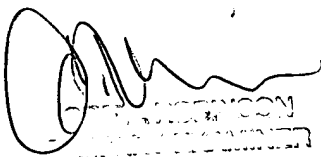
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jean Homere, can be reached on (571) 272-3780. The fax number to this Art Unit is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Miranda Le
January 21, 2006



JEAN HOMERE
SUPERVISOR